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The Preferential Ballot

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FOREWORD

The literature of the Preferential Ballot is still very limited, and most that has been published on it favors the affirmative. The published discussion is so limited that we have had to resort to private letters and conversations for most of the material in this bulletin. Three of the letters received are reprinted. On the affirmative side of the question we refer those interested to a pamphlet written by Prof. C. G. Hoag, Haverford, Pa., and reprinted as a U. S. Senate Document on motion of Senator Robt. L. Owen, from whom it may be obtained.

As in former bulletins, the editors assume no responsibility for the soundness of the arguments adduced. Those given are arguments which are actually used. The student needs the discipline of testing arguments and detecting fallacies. The effort is made to so word the question that the arguments on both sides will be as nearly equal as possible. While our constant aim is to so balance the arguments that both sides have an equal chance to win, it is evidently not always possible to realize this aim. The editors cannot of course create the arguments; they can only arrange such as they find with such skill as they may command.

Notwithstanding a wide correspondence and much inquiry there are doubtless many excellent arguments which the editors failed to get. After the subject has been more fully discussed in the public prints a new edition will be published. The obvious timeliness of the discussion will justify the present early publication.

QUESTION

Resolved: That the Preferential Ballot should be adopted in the several states.

THE PREFERENTIAL BALLOT

INTRODUCTION

The voter often finds it difficult to decide between two or more candidates whose qualifications seem about equal. Personal relations to the candidates may add to his perplexity. When he votes for one he votes against all the rest equally. Even if his vote truly represented his first choice it is evident that it does not at all indicate his attitude towards the other candidates. Among them he may have very decided preferences which the present single ballot does not enable him to express. If we are to be governed by the ballot, it is evident that the voter should be able to express by it as much as possible of his wishes and decisions. All admit this; the only difference is as to the method of securing this result. The method proposed in the present discussion is The Preferential Ballot.

WHAT IS THE PREFERENTIAL BALLOT?

Its aim is to enable the voter to indicate as fully as possible his preferences among all the candidates. It does this by providing that the voter may indicate not only his first choice as at present but also his second and other choices. Where all voters are able to write, the easiest way to express the different choices is to write the figure "1" after the first choice, the figure "2" after the second choice, etc. Another method is to have a separate column for each choice; the first column for the first choice, the second column for the second choice, etc. The voter places an "X" opposite the name and in the proper column to indicate his different choices.

In Wisconsin and Minnesota only two choices are permitted, so only two columns are needed. When a third choice is permitted, three columns would be used. In many places where the preferential ballot is used the first two columns indicate the first and second choices, but the third column is used for third "and other" choices. That is, he may use the third column to indicate his third choice, or he may use it to indicate which ones

of the remaining candidates he prefers. This enables him not only to vote for his first and second choices but to vote against those he does not mark in the third column. This gives him power to express his attitude towards every candidate on the ballot.

Experience seems to prove that the use of numerals to express the different choices is attended by fewer mistakes than the use of columns; it is purely a matter of expediency as there is no difference whatever in the principles involved. The following is an illustration of the first form:

Candidate	Choice
John Smith.....	3
Jack Robinson.....	
Harry Jones.....	2
Tom Brown.....	1
Dick Johnson.....	
Ben Davis.....	4

Concerning Robinson and Johnson no preference is expressed.

The following illustrates the column plan of expressing the same vote:

Candidate	1st Choice	2nd Choice	3rd or Other Choices
John Smith			X
Jack Robinson			
Harry Jones		X	
Tom Brown	X		
Dick Johnson			
Ben Davis			X

This ballot means that the voter's first choice is Tom Brown and his second Harry Jones, and of the remaining candidates he would prefer John Smith or Ben Davis to the others.

II. COUNTING PREFERENTIAL BALLOTS.

All the methods which have been used may be classed under

three heads: The Ware system, the Bucklin system, and the Nanson system.

1. The Ware System.

In this system the first choices are counted first, and if any candidate receives a majority of the first choice votes, he is declared elected, and no attention is paid to the other choices; the election is exactly as it is now. But if no one has a majority the candidate having the lowest number of first choices is dropped and the second choices of those who voted for him are counted instead of their first choices. After the second count the candidate then having the lowest vote is dropped and the third choices of all who voted for him are counted in the third count. This process may be continued as far as choices are indicated, but usually the one having the largest plurality in the third count is declared elected, as it is generally unnecessary to carry the process farther.

The chief objection urged against the Ware system of counting is the dropping of the lowest first choice candidate at the end of the first count. It often happens that the one having the lowest number of first choices has the highest number of second choices, and that usually means the best candidate. To remedy this is the chief object of the next system.

2. The Bucklin System.

This differs from the Ware system only in that no candidates are dropped; all stay in the count to the end. If no one has a majority in the first count, then the second choices are added to the first; if any candidate has a majority he is declared elected; but if not then the third choices are also added in, and so on to the last choice. If but three choices are given there are three counts; if there is no majority on the last count the one having the largest vote is declared elected.

The chief objection to this is that first choices do not count any more than second or lower choices. This is not so much a defect as a failure to reach perfection. But it has been remedied by the proposal of Prof. E. J. Nanson of the University of Melbourne, Australia.

3. The Nanson System.

In this system numerals are used instead of columns. Candidates are ranked in order of their preference by the voter by placing 1 after the first choice, 2 after the second choice, 3 after the third choice, etc. If the voter fails to indicate his choice as to the entire list of candidates, each of the remaining

candidates is given the average of the choices not indicated. For example, if there are seven candidates and the voter indicates only four choices, each of the remaining three would be marked 6, the average of 5, 6, and 7.

Since 1 indicates the first choice, in the sum of the ranks the smaller total indicates the higher preference. This method has been in use for a long time in judging oratorical contests and debates.

This method can be made more accurate by the additions of the Nanson system, by which after the ranks have been added their average is found by adding the totals and dividing by the number of candidates. Then all the candidates having a total larger than this average are dropped because their election is absolutely impossible. The object of the Nanson procedure is to insure that the one finally declared elected is preferred to every other candidate comparing them two by two. The following rules are a good summary of the system:

Rules for Counting, Nanson System.

1. The ballots must be transferred to a prepared sheet, copying only the exact figures made by the voter.
2. The candidates not marked by the voter must each be given the average of the ranks unmarked.
3. All the figures of each candidate indicating the ranks given him by the voters are then added, and the average rank of all the candidates obtained.
4. Exclude each candidate whose rank equals or exceeds this average.
5. If only one remains he is elected.
6. If two remain the one is elected who was preferred by the greater number of voters.
7. If three or more remain, repeat the processes of 3 and 4 until only one or two remain and then apply 5 or 6.

III. HISTORY.

The Preferential Ballot in some form has been studied for several hundred years and has received the attention of many eminent mathematicians.

The Ware system is known in England as the "alternative vote," and in Australia as the "preferential vote." The present form was suggested by Prof. W. R. Ware of Harvard University. The use of columns for the choices was suggested by Mr. D. S. Remsen of New York. This continues the use of the "X"

stamp with which voters are already familiar and permits the counting to be done at the voting precincts as at present. This system is used in the primary elections of Wisconsin and Minnesota, but limited to two choices.

The Bucklin system was first proposed by a Frenchman, Condorcet, in 1793. Its present form is chiefly due to the Hon. James W. Bucklin, Grand Junction, Colo., where it was adopted in 1909. It is also used in Spokane, Wash.; Denver, Colo.; Portland, Ore.; Cleveland, O.; North Dakota, etc. It aims to be practical rather than theoretical; it is easily voted and easily counted.

The Nanson system shows the almost marvellous possibilities of preferential voting as a means of ascertaining the real will of the people.

Some form of preferential ballot has also been introduced in Western Australia, Tasmania, Colorado Springs, Pueblo, Fort Collins, Colo., Nashua, N. H., La Grande, Ore., New Iberia, La. It is being rapidly introduced into cities.

Results of the First Trial of the Bucklin System.†

The first trial was in Grand Junction, Colo., Nov. 2nd, 1909. A new charter had just been adopted and the two local parties were Pro-charter and Anti-charter; the former about twice as large as the latter. There were four pro-charter candidates and two anti-charter. The total number of votes was 1,847, a majority of which was 924, and a majority of first choices was 900. The following was the entire vote:

Candidates	First Choices	Second Choices	Other Choices	Combined 1st and 2nd	Combined 1st, 2nd, 3rd
D. W. Aupperle	465	143	145	608	753
*W. H. Bannister	603	93**	43**	696	739
N. A. Lough	99	231	328	330	658
*E. B. Lutes	41	114**	88**	155	243
E. M. Slocomb	229	357	326	586	912
Thomas M. Todd	362	293	396	655	1051
	<hr/> 1799	<hr/> 1231	<hr/> 1326		

*Anti-charter candidates. The others were pro-charter.

†See article by Prof. L. J. Johnson, *National Municipal Review*, Jan., 1914.

**The light anti-charter vote in the second and third columns is due to the fact that the anti-charter voters concentrated on

Under our present system, Bannister would have been elected though two-thirds of the voters were opposed to him. Examination of the fourth column shows that under the system adopted by Wisconsin and Minnesota Bannister would still have been elected by the simple device of concentrating the anti-charter, and dividing the pro-charter vote. But since the anti-charter voters concentrated on Bannister as first choice they had but few votes left for second and other choices. Examination of the fifth column shows that Bannister came out fourth in the final count,—which result is consistent with the facts. The election of Bannister would evidently have made the entire election a farce, but no possible management could have elected him under a preferential ballot.

It is clear that although the anti-charter vote was only about one-third of the total, all that was needed to elect the anti-charter candidate was to concentrate the anti-charter vote as much as possible, and see to it that enough pro-charter candidates were brought out to divide the vote sufficiently.

As Bannister got all but 41 of the anti-charter votes it is evident that 52 of the 93 second choice votes for him must have been cast by pro-charter voters, but still he was far from winning. While under the Wisconsin and Minnesota plan Bannister could not have been elected without these 52 pro-charter votes, it is evident that the addition of the third column of "other" choices greatly safe-guards the will of the majority for with it added Bannister's election is rendered practically impossible. That is, it is practically impossible for a small minority to impose its will upon the majority.

The preferential ballot has never been used except in primary elections and in elections where the primary and final elections are combined in one. The preferential ballot form could be used in a final election after nominations had been made, but the results would be exactly the same as now. For if there were but one candidate on a democratic voter's ticket, for example, there would be no preference and he would vote his first and only choice. Of course no voter would select his second and third choices from other party tickets for that would be voting against his own party ticket. If there are several names, a preferential ballot gives the voter opportunity to ex-

Bannister. The total vote of Bannister and Lutes was 644,—the total anti-charter vote.

press his preferences among them if he wishes, but of course he is not compelled to.

In the Grand Junction election given below, 1847 votes were cast. There were 1799 first choices and only 1231 second choices. From this it appears that 48 did not express their first choice, and of those who did 568 did not indicate their second choice. But the fact that about one-third of the voters did not use their privilege did not prevent the admirable result. That some of the voters do not use their privilege of choices does not in the least impair the work of those who do. All the cities which have adopted the preferential ballot have but one election, and as the public become accustomed to it, the same policy would doubtless become universal. Of course in a combined election it would be necessary for the voter to indicate his choice of parties as well as of candidates; this could easily be done as in Belgium. In voting for amendments there could of course be but two choices expressed by "yes" or "no."

While the preferential ballot does not require or presuppose any particular method of nomination or getting names on the official ballot, the usual custom is to nominate by petition. The candidate has only to file a petition signed by the required number of voters who have not signed a petition for any other candidate for the same office. Any one can run when a sufficient number of his fellow citizens thus endorse his candidacy. The same principle is now followed in initiating bills.

IV. LETTERS.

Cambridge, Mass., Feb. 18, 1914.

Profesor J. W. Scroggs,
University of Oklahoma,
Norman, Okla.

Dear Sir:

Replying to your favor of the 11th inst. regarding preferential voting, I beg to say that I know of no printed matter opposed to preferential voting to which I can refer you. Of course, in our campaign for the charter there was more or less ephemeral matter printed by the opposition—but it is nothing of any dignity or validity, merely the politician's customary sort of effort to protect his preserves. You can find more or less in print pertaining to imperfections in preferential voting systems and urging one system as against another, but I know of nothing

of sufficient dignity to be noticed by your Bulletin against preferential voting as a whole.

Preferential voting should be viewed simply as the best known method for economically and conveniently safeguarding the majority interest in the election of public officials or their nominations in a primary. No system yet devised is entirely free from all possible objections, nor is any other human institution that I can think of. The preferential ballot simply offers voters an improved opportunity to get good results if they wish them. It is not automatic nor fool-proof, nor can it be expected to be, but it has brought highly satisfactory results in a number of important cities and it seems clear is destined to spread rapidly.

Objectors to it allege that it is "complicated," "keeps voters away from the polls," and is not certain to elect the "best man." The idea that it is complicated, vanishes in the fact of mock elections held with audiences met to hear it explained. Experience in Spokane would not indicate that it keeps voters away from the polls, though the first vote in Denver with it was comparatively light. In Denver it doubtless had not been generally explained. The more ignorant voters may have been deterred from facing a somewhat unfamiliar task and for that reason stayed away from the polls.

Regarding the kind of a candidate it will elect, that depends upon what kind of a candidate the voters vote for. The preferential ballot will not elect anybody unless the voters vote for him. The Bucklin system, which in substance is the only one which has thus far gone into effect in American cities, and which in my judgment is unquestionably the best one known for such purposes, may occasionally lead to the election of the voters' second choice, but it has the off-setting advantage that it affords a very substantial safeguard against thoroughly objectionable candidates, such as are frequently elected under the old system. The gain from the Bucklin system—although it is not a panacea—is a substantial one and sufficient to justify the rapid expansion of that system. It tends to elect nearly the best if not the best, while the old systems tend toward the worst or nearly the worst. At least the latter offer insufficient barriers against the worst or nearly the worst. The other offers the best now known.

One stock argument against the preferential ballot vociferously urged by politicians of the Tammany type, is that the winner ought to be required to get a majority of all choices ex-

pressed. Although this might obviously require a vote for a candidate in excess of the total number of voters, they make a lot of talk on this point and lead a lot of people to suppose that the preferential ballot is no substantial advantage, since it cannot insure a majority based on such a definition, and of course, it cannot **insure** a majority based on any rational definition. All it can do is to offer a means for the majority sentiment to crystallize on some one candidate, if there is any candidate running both widely enough and favorably enough known to attract the vote of the majority, as is frequently the case.

Hoping that this will cover the ground satisfactorily, I am,

Very truly yours,

LEWIS JEROME JOHNSON.

To this letter we add the following from the same writer:

Summary of Advantages of Preferential Voting.

1. It permits the abolition of primaries without interference with the democratic method of nomination by a merely nominal number of petitioners.

2. It permits the nomination of a large number of candidates with the practical elimination of split tickets.

3. It fosters campaign methods which greatly reduce the difficulty of getting high grade men to stand for office. It minimizes the unattractiveness of the campaign and effectively discourages mud-slinging,—the candidate who might otherwise descend to slander of his opponents is deterred by fear of alienating second or other choice votes which might come his way. The responsibility on any one nominee to win may become so slight that a man may accept a nomination in the midst of an absence from the state which is prolonged till after election day—and still be elected. This actually happened when the president of the Spokane Chamber of Commerce was thus elected in 1911 as one of a commission of five to a four-year term and from a list of ninety-two nominees for the commission. Other results in preferential voting cities show that the voters are quick, as might be expected, to elect a better grade of officials as soon as they are brought within their reach.

4. It is believed to be the safest known means for protecting the majority interest against the machine or special interests. It cannot, of course, insure a majority for the winning candidate—no system of voting can do so in any literal sense—but, in case no one is widely enough and favorably enough

known to command a majority in a free, open expression of choice, it offers a greater likelihood than any other known system that the winner will be of a type loyal to the majority interest, rather than to any machine.

5. It greatly simplifies the supremely important problem of securing high-grade, non-place-hunting, and competent elective officials. The reasons are suggested in the two preceding sections, but this advantage is important enough to warrant separate emphasis.

Of course the easily obtained nomination, freedom from machine control, improved campaign conditions and good chance for victory for an honest, competent, non-self-seeking candidate, which are features of preferential ballot elections, must be supplemented by holding out to such candidates properly attractive office-holding conditions. This part of the problem has fortunately, however, been pretty well solved in our commission-governed cities, and the preferential ballot comes in as a most welcome means of filling out a hitherto most troublesome gap in our election methods.

In closing it should be once more emphasized that allowing voters merely a first and second choice does not in a proper sense constitute preferential voting. Since the purpose of the new system is to offer the easiest and most nearly certain means for the majority sentiment to crystallize behind some one of a large number of nominees for an office, it is obvious that voters must be permitted to vote—in one order or another—

FOR ALL THE CANDIDATES THEY WISH TO SUPPORT. Only a small minority of the cities mentioned have fallen into the seductive, dangerous, and wholly needless error of limiting the allowed number of choices and it is to be hoped that this erroneous practice will not spread.

The following letter explains itself:

THE LEWIS AND CLARK HIGH SCHOOL

Spokane, Washington

March 7th, 1914.

Dr. J. W. Scroggs,
University of Oklahoma,
Norman, Oklahoma.

Dear Sir:

A short time ago Supt. B. M. Watson placed in my hands a letter of inquiry from you concerning the objections to the pre-

ferential voting system in use here. Aside from what he did in furnishing you a copy of the city charter providing for preferential voting, he has asked me to summarize the objections to this system as used here.

Apart from my incidental observations, I have made inquiry of various men interested in civic affairs and find that there is little objection urged against this method of voting. Of course, the experience under it is brief, two city elections and a recall election representing all of the experience under the system.

The first city election under the present charter and preferential system found about ninety-five candidates in the field for commissioners,—five to be elected.

In the opinion of not a few this first election resulted in the choice of one or two men by reason of second or third choice votes who otherwise were not first choice men, i. e., from the standpoint of desirability. So many candidates made the selection depend upon pluralities determined by counting all second and third choice votes. In only one instance was a candidate elected by a plurality of first choice votes. This means that four of the commissioners were elected by second and third choice votes—indifferent votes, as some regard it. In one or two instances, according to the man one may be interviewing, this resulted in unfortunate selections,—selections which would not have been made if voters had not voted for other than their first choice. In other words, the second and third choice votes of voters “snowed under” the prospects of their first choice candidates.

The first objection then is—

A weaker candidate in the first choice of voters may win by reason of second or third choice votes against a stronger candidate with more actual first choice votes but far fewer second or third choice votes.

A man with clearly advanced views who can be plainly understood by the people will fail or succeed on first choice votes. A man less forceful, but popular, will have a large following of positive friends who give him first choice votes, but who will not succeed in electing him by these votes. The indifferent vote of second and third choice gained by advertising or street talk about a “good fellow” will carry in this popular sport of politicians. The positive and aggressive candidate will win first

choice votes, but few indifferent second or third choice votes. Those who are not entirely for him are entirely against him,—hence a lesser qualified man may be elected.

The boomerang character of this feature of preferential voting is shown in the experience of the author of the preferential system as used here. This man, Mr. Coates, who was positively active in helping frame the city charter, became a candidate for commissioner among ninety-four others in the first city election. His character and tenets were favorably regarded by many who gave him first choice votes, but not a plurality. Second and third choice votes elected him. He made a strong, aggressive city commissioner, won many friends and made many enemies. He was defeated for reelection last November because of lack of support in the second and third choice columns. Voters were for him absolutely or absolutely against him.

The second objection—

The system cannot be controlled by the “interests.” No one can tell beforehand how voters will act in the election, and no employer can control votes. This objection is obviously not made by men who entertain the objection. It is pointed out for them,—but it exists. A man who is solicited for a vote may say that he voted for every man he promised to vote for, since the charter permits him to vote for every candidate,—as third choice. Saloon interests, under this circumstance, cannot as definitely tell what will be the result of selecting and promoting a candidate acceptable to the churches; for instance, employers cannot determine the action of employees at the polls as definitely.

The third objection—

In case there are few candidates, as in the election last November, campaigning to control the election takes place in the form of efforts to defeat what looks like a winning candidate by concentrating the second choice votes on some notoriously weak candidate who has no standing, and who may receive only five hundred to seven hundred first choice votes, or less, in a total registration of twenty-two thousand voters, thus subtracting the second choice votes from the more desirable candidate's strength.

Perhaps I have been unnecessarily wordy,—but I hope I have served you to some extent.

Very truly yours,

Department of History.

M. M. BEDDALL.

PREFERENTIAL BALLOT.

A few words on the workings of the preferential ballot first adopted this year. The new charter of the city of Portland provides for making nominations by the filing of a relatively small number of individual certificates, the method being designed to make the nomination exceedingly easy. At the election each voter is allowed to indicate among the candidates thus nominated a first, second, and third choice for each office, no two choices to be for the same candidate, however. If no one has a majority the third choice votes are counted in. At the election held in June, 1913, only a few weeks after the charter was adopted, there were some 87 candidates for the four commissioners to be elected. They included, along with a modicum of very good men, about every species of undesirable, from strong and experienced machine politicians to saloon hangers-on and ticket takers at five-cent "movies." A voluntary committee of citizens published candid and impartial biographies of them all, and late in the campaign, in response to an urgent popular demand, indicated the twelve whom they considered the best. The twelve were all excellent men, but only one of them received enough first choice votes to have elected him if the old plurality system had been working, and under that method the men elected to the new commission would have been no whit better than the ordinary type of councilmen from whom our cities have suffered so long and so grievously. But by use of the second and third choice votes the tables were turned. The candidates elected were all from among the twelve named by the committee, and by the consensus of intelligent opinion among the very best of them. The new plan accomplished exactly what its advocates had claimed. It focuses upon the best men the suffrages of the voters enabling them to concentrate on a single candidate; a thing which the professional politician with his better organization and better discipline can always do. It is too early to predict that the brilliant success achieved in this election will be permanent, but as explaining it in part I may quote the naive comment of a voter who said to me a few days after the election, "This new way is just what I have always wanted. You see a fellow really has to give a vote to his personal friends or to the men who have done something for him, but he can do that with his first choice vote, and these second and third choice votes, I figure they belong to the city."

The tale of Oregon's experience in self-government may be

dull enough in the telling; it has not been so in the living. It has been alive with the energies of struggle, shot through with humor, strong with constancy of purpose, sustained by the lift of great and grave hopes. We have been groping our way in no spirit of rash innovation nor unreasoning anger, but with a deep sense of the perfectibility as well as of the imperfections of our political institutions, toward that goal of "government of the people, for the people, and by the people" to which generous hearts have aspired in all ages, and we dare to hope our blind and stumbling feet are set on the path where is found the safety of this Republic and the future of democracy itself.

W. S. U'REN.

DIGEST OF VARIOUS ARTICLES.**Affirmative.**

1. The preferential ballot has proved a sifting process. Each successive choice acts as a sieve which eliminates the less worthy candidates.

2. To deprive a voter of any power he can legitimately use and needs to use at the polls is to partially disfranchise him. The preferential ballot gives the voter more power.

3. It is the regular practice for political rings to run pseudo-reformers to divide the vote of the true reformers, and under our present system the advocates of honest politics are helpless.

4. Good men have been defeated under the preferential ballot; but it has never been due to any defect of the system; it was the fault of the voters which no system can cure or attempt to cure.

5. The convention system is completely discredited; the primary system is little better; the only other plan suggested is the preferential ballot, and it has succeeded wherever it has been tried.

6. The preferential ballot is in practice an instruction to those who count the ballots that if the voter's first choice was lost, count his second; if that was lost also, count his third. Of course no vote can be counted twice.

7. The gist of the preferential ballot is that if a voter's first choice is not elected his vote is not lost,—he still has his second choice; if that is lost also, he still has his third choice. So he has three chances to make his vote effective instead of one.

8. Under the present system a small minority may nominate. Under the preferential ballot each nominee would, in most cases, have a majority, and if not elected by a majority he would at least be preferred by a majority to any other candidate.

9. It is very remarkable that the preferential ballot should have been successful to such an unusual degree from the very first. No serious defect has even yet developed. Even where it has been only partly introduced, it has proved infinitely superior to the present system.

10. The preferential ballot would almost if not entirely do away with bribery of voters. If a corrupt candidate wished to bribe a voter he could only buy one choice, and that would not pay. The results would be so uncertain that bribery as now practiced would be impracticable.

11. There is universal complaint at the lack of interest in elections, especially primary elections. It is one of the gravest

dangers which can threaten a free government. One reason for it is that even very intelligent men feel that their vote can affect the result so little that it is not worth the trouble.

12. If a man vote for a candidate who gets more than a majority his vote is not needed,—it does not affect the result. If he vote for a man who gets less than a majority his vote is lost, “thrown away” as the common phrase has it. Under the preferential ballot he has as many chances as he has choices.

13. It cannot be said that because a man votes for one candidate he therefore forfeits all right to any voice whatever concerning the others. His convictions concerning them are just as valid as those concerning his first choice and just as important to the public, and he has an equal right to express them.

14. The preferential ballot is certainly worth a trial. It could not well be worse than the present method, and has proved far better wherever it has been tried. Essentially the affirmative argument is that it should have a fair trial. The essential issue is, “Do the arguments in favor of it justify giving it a trial?”

15. Mankind can only grope its way in political reforms. The present system **MUST** be improved in some way; all must admit this. The preferential ballot is the only new proposal before the public. Those who are opposed to the present primary system, then, must favor either the preferential ballot or a return to the convention system.

16. A good citizen is often in doubt which of two good candidates to support. Very often they are equally good in his estimation but he inclines to one because of personal reasons. The second choice of a corrupt voter is practically always a better man than his first choice. In such cases the second choice is an immense public advantage.

17. It is less and less common for any candidate to get a majority over all. This means, of course, that most officials are elected by a minority. This gives an immense advantage to corrupt rings and cliques which are held together by the hope of plunder. It would be impossible to conceive of a method more acceptable to the enemies of society.

18. Under the preferential ballot a **VERY** objectionable candidate cannot be elected. The successful candidate is the **LEAST** objectionable if he is objectionable at all. This is of itself an immense gain. Under our present system the very

worst candidate has an equal chance of election, and often the best chance if his support is compact and undivided.

19. The preferential ballot would minimize the incentive for mud-slinging and vilification so characteristic of present-day campaigns. If a candidate could not get a voter's first choice he might get his second choice, thus placing a premium on fairness, courtesy, and gentlemanliness, and upon frankness, candor, and moral earnestness, which we now seldom see.

20. Experience has demonstrated that with the preferential ballot it is not necessary to have either primary elections or conventions; after the people get accustomed to it one election will be entirely sufficient; thus saving an enormous expense both to the state and to the candidates, and at the same time expressing the public will far more fully and clearly than is now possible.

21. The whole object of an election is to get the choice of the people. But if there are six candidates and the voter can support but one, the election does not register the choice of the people at all, but only one-sixth of it. If we really wish to get the will of the people every voter should have the opportunity of expressing his will concerning every candidate, or as many of them as he wishes.

22. Any method which makes it easier to elect worthy men and harder to elect unworthy men commands serious attention; it cannot be put aside lightly. Nothing but the most cogent and convincing reasons would justify its rejection. No such reasons appear. Most of the so-called objections are either fears which have been completely disproved by actual experience; or mere quibbles entitled to little consideration.

23. The choice is not between the Preferential Ballot and an ideal, flawless system. The choice is between the Preferential Ballot and the most intolerable system in the world. Showing that some form of the Preferential Ballot has imperfections or that it is unable to meet all demands is not valid argument. The question is, "Is the Preferential system better than the plurality system now in common use in this country?"

24. The old convention system got so rotten that it is no longer endurable as a means of making nominations, and primary elections are substituted for it. But in the convention system each delegate had opportunity to vote for different candidates in the successive ballots taken. Under the present primary system the enemies of the public welfare are always unit-

ed, and its friends almost always divided. Such a plan is as stupid as it is suicidal.

25. The ideal of Democracy is majority rule. This will be conceded by all without discussion. It follows, then, that where we cannot get a majority we should get the largest possible plurality. To demand that we should submit to pluralities of less than one-tenth of the vote is to be false to democratic ideals and principles. Any policy or method which gives the largest possible plurality where majorities are not obtainable is self-evidently and axiomatically preferable.

26. The trend of public opinion is to give more and more power to the people. Everywhere the people are being given a greater voice in the control of their government. That the will of the people is the supreme law is no longer discussed; we are rather trying to find ways of realizing its truth and embodying it in the forms and procedures of our political life. Even if the will of the people is sometimes mistaken and wrong, the world has learned that there is nothing better.

27. Of course corrupt interests and their tools and dupes do not wish a full, free, and complete expression of the voters' will at the polls; it would ruin their occupation entirely. A "machine" or a small selfish minority could never hope to dominate an election if the people had full opportunity to express their will at the polls. As it is, when the ballot proves to be futile the people must either submit or rebel with the minority in control of courts, police, and army. Such a condition is intolerable.

28. Under the present system multitudes are tempted to run for office because a man's chances for election do not depend so much on how many votes he gets as upon how much the vote against him is divided. A man who can command one-tenth of the total vote has a chance of election if there are candidates enough. In the primary election in Oklahoma in 1914 the democratic nominee for governor received less than 27 per cent. of the total party vote, and the candidate for attorney general only a little over 23 per cent.

29. If six voters should vote for six candidates there would be no election. In a convention there would be successive ballots giving opportunity for varying the choices; but we have seen that this is impossible in a primary election. At present, one additional vote for either candidate would elect him, and we would say that "the people elected him." Could any farce be more evident? He might be utterly repugnant to the other

four voters and yet they are charged with electing him because they took part in the election.

30. The preferential ballot will be especially advantageous to farmers. As a class they are too widely separated to get together either for consultation or cooperation. At present the most dangerous candidates are those supported by the criminal classes in the cities or by corrupt interests. Though a few farmers might be deceived into supporting such under our present ballot it is inconceivable that they would vote two or three choices for such. By giving the farmers three choices their vote would be practically three times as influential as it now is.

31. Experience has abundantly proved that voters do not duplicate their first choices in their second. The order in which human nature usually responds to such a situation is: First choice, which man do I like best; second choice, which will make the best official. To the public the second choice has usually more value than the first, of which it is entirely deprived by our present system. Actual tests where the preferential primary is in use show that an excellent candidate will receive a small first choice vote but an overwhelming second choice vote.

32. The object of elections is to ascertain the people's will concerning candidates. There are only four alternatives: Muzzle the voters at the polls, go back to the convention, limit the number of candidates, or the preferential ballot. The first is unthinkable, the second has failed, the third is impossible, and the fourth has proved one of the most successful devices in political history. Even if the objections to a preferential ballot were a hundred-fold greater than they are, it would still be by far the best method known of dealing with the problem of nominations. It is right, just, and expedient.

33. The preferential vote is endorsed by all the leading statesmen in the United States and in foreign countries. President Wilson is president of the Preferential Voting League of the United States. Ex-President Roosevelt and ex-President Taft are among the leading members of the League. It is opposed only by corrupt politicians and by those who profit by the present inefficient voting methods, by all those who seek to thwart a full and complete expression of the will of the people. The preferential ballot would put an end to the pernicious activities of the corrupt party boss.

34. The preferential ballot could dispense with one election, thus saving the state and the tax payers hundreds of thousands

of dollars every two years. It will also save the expense of thousands of candidates in making their campaigns for nomination. This item will total millions of dollars for every election. And the people pay the bill. They pay not only the legitimate expenses of holding the election, printing ballots, rent for the polling places, salaries of judges of election and returning and canvassing officers, but in the long run they pay the campaign expenses of the candidates as well.

35. We must understand, then, that any effort to prevent a full expression of the people's will is really an effort to limit the rule of the people. The people must speak their will before it can be made effective. It follows that any effort to muzzle the people at the ballot box is in reality an attack on popular government. To refuse to provide full and complete facilities for the expression of the people's will is to deny the right of the people to express their will. The real question, then, is whether the Preferential Ballot will afford greater facilities for full and complete expression of the popular will.

36. Few delegates would attend a convention if only one ballot were taken; it would not pay. The same feeling will soon prevail concerning primary elections. Since successive ballots cannot be taken in a primary election, evidently the most just and expedient method is to allow each voter to express several choices. If then after counting it appears that the first choices give no one a majority, the second choices could be counted; if there were still no majority, the third choices could be counted, and so on. Experience proves that two or three choices are sufficient to remedy the worst defects of the primary election.

37. It seldom happens in any primary election that there are not two or more candidates for either of whom an elector would be willing to vote, but several for whom nothing could induce him to vote. By limiting his power to the expression of only one choice he can vote for one and must treat all the others exactly alike. It is perfectly evident that his ballot so limited does not express his will or his attitude towards the candidates, and so such an election would not show the real acceptability of the candidates, the very thing for which elections are supposed to be held. The method of voting should reveal the public opinion.

38. Under the present system a voter must often sacrifice his principles for the man. If he votes for a man who is not elected he fails to effectively support the principle for which he stood. If he has a second choice he can vote for another

man holding the same principles and may help elect him. So that principles are safer under a preferential ballot than under the present system. It is common to see principles sacrificed to the ambition of candidates. A man will run for office when he knows full well that he will divide the support of his principles and elect a man holding the opposite. This is constantly happening.

39. In some cities and countries the plan has been adopted of requiring a second election when no candidate has a majority. This is not only an enormous expense but it fails to express the real will of the people. The candidates at the second election must necessarily be those who had the highest vote at the first election. But these are very likely to be the ones supported by the machines, and the voters at the second primary must choose between two candidates both of whom they repudiate. It looks more like a method of defeating the people's will than a method of ascertaining it. It is but little if any better than the present system.

40. The only rule which conserves the public welfare is, as President Wilson says, the rule of right and reason. We believe in the rule of the people only because history shows that they are more likely to give us the rule of right and reason than any monarchy or oligarchy. Beyond all question the preferential ballot is an aid to the rule of the people, and so of right and reason. It makes it harder for an oligarchy of any kind to control or defeat the will of the majority. Its sole purpose is to make sure that the will of the majority is fully and clearly expressed. And experience is proving that it really does this, even where only partly tried.

41. They have had primary elections in Arkansas for a long time. The tactics of those who wished licensed saloons was to get one license man and several anti-license men to run for county judge. This would divide the temperance people and elect the license man by a plurality vote. This often happened when not one-fourth of the voters favored the successful candidate. We know that such things are done in every election. Our present method enables a determined faction however corrupt to keep itself in power indefinitely by the simple device of dividing its opponents. And the characteristic American hunger for office will continue this condition.

42. The abuses of our present system are already enormous and rapidly increasing. The voter is overwhelmed with candidates at every primary election. No one can possibly obtain a

majority and nominations are by smaller and smaller minorities. No man who supports the present system can plead ignorance of the facts; and pretexts and excuses will no longer avail. All must admit that the present system must be improved or be abandoned. It is the best possible system for enabling a few selfish men to dominate the state for their own interests. There are objections to everything, but there are fewer valid objections to the preferential primary than to any similar proposal.

43. The most unanswerable argument for the preferential ballot is successful experience. It has already been introduced in Grand Junction, Pueblo, Colorado Springs, and Denver, Colorado; Spokane, Washington; Duluth, Minnesota; Portland, Oregon; Cleveland, Ohio. It is used for final elections in West Australia, Queensland, Victoria, and Tasmania; and for primary elections in Wisconsin, Minnesota, and North Dakota; and has been partially introduced in Idaho, Washington, Nebraska, California, Oregon, New Jersey, and South Dakota. Different methods are being tried but the universal testimony of all but the corrupt or ignorant is that any form is an infinite improvement.

44. Experience demonstrates that candidates for corrupt or selfish interests poll their full strength on the first choice ballot. Nobody else is interested in them so they get almost nothing on the second choice ballot. The experience is that the largest choice vote goes to the ablest and cleanest candidates, to the men of the highest character and reputation. Cases have occurred where a man receiving a small first choice vote was the almost unanimous second choice. That is to say, in the second choices the chances are in favor of the public and against its enemies. A voter prefers "A" as his first choice. Of the remaining candidates he thinks "B" is the safest, the least objectionable so he gives him his second choice.

45. The present system is absolutely intolerable. Whatever is done, this cannot continue. We are deceiving ourselves with mere forms when we are governed by the machine. The ballot box is the arbiter of all our political fortunes; we cannot afford to make it a farce. Experience proves that the preferential ballot reduces this evil to a minimum, as in Wisconsin. It shows that while first choices are influenced chiefly by personal or party reasons, the second choices are prevailingly for the ablest and best known and best trusted men. This is not mere theory; it actually happens. And when the machine finds

that nothing is gained by dividing the anti-machine vote they quit trying, and the number of candidates diminish.

46. All arguments against the preferential ballot are absolutely negatived and discredited by the overwhelming success it has achieved wherever it has been tried. It is useless to argue that the preferential ballot will not work when it IS working, and working better than anything else that has ever been tried. While the first steamboat was crossing the Atlantic a learned engineer read a paper proving conclusively that it could not be done. When the electric light was first discovered experts at Madison, Wisconsin, proved to their own satisfaction that it was impossible. The opponents of the preferential ballot are equally mistaken. They are trying to prove that it will not work when it is working with complete and triumphant success.

47. Because a voter expresses his preference for one candidate is no possible reason why he should forfeit his right to express his preference among the other candidates. If there were a dozen candidates the voter has an equal right to indicate his opinion concerning each of them. Voting for one rejects the others as first choice of course but expresses no preference between them; he is powerless to prevent the worst one of the eleven from being elected. In other words he loses eleven-twelfths of his voting power; and if there were twenty candidates he would lose nineteen-twentieths, and so on. He could have his full power only when there were but two candidates. His ballot should enable him to indicate all the names most satisfactory to him.

48. Under our present system there is an increasing number of good citizens of all classes,—farmers, preachers, teachers, business men, laborers who feel that it is not worth while to go to the polls on election day. They see that politics is manipulated by the professionals who make every effort to defeat the popular will. The effect of a single choice at the polls is so insignificant, so easily offset or annulled, their vote would not make much difference so they stay away. No democracy can survive the loss of such voters and for such a reason. When there is only one machine candidate, who will get any considerable vote and a dozen anti-machine candidates what is the use of voting? The inevitable result is just as certain before the voting as after the counting.

49. It is objected that an intelligent voter can use the preferential ballot more effectively than an ignorant, incapable voter can. No legislation can make ignorance equal to intelligence.

The state goes to enormous expense to give every voter an opportunity to become intelligent and capable; if he does not avail himself of it the fault is his own. If the intelligent citizen can use the ballot more effectively than the hobo or the ignoramus nobody is wronged and the state is the gainer. The primary object of the ballot is public service, not private gain, else a man could sell his vote. Incompetent service is barely service at all. A ballot which gives the advantage to intelligent citizenship and at the same time makes selfish, unsocial schemes almost impossible is as near the ideal as we can well hope for.

50. The theory and practice of free government centers at the ballot box. If the ballot fails rightly to express the will of the people we have a clear perversion of free government. It is notorious that the result of an election is often contrary to the wishes of a great majority of the people. These facts are becoming so well known that men can no longer hold up their heads among patriotic people and advocate the continuance of our present methods. The will of the people is so often defeated that many are losing confidence in free institutions and popular government; and the determination to introduce methods of voting which will give a fuller and freer expression of the popular will is rapidly becoming irresistible. The people can no longer be tricked by plausible arguments; they demand results.

51. In the practical working of the preferential ballot the voter indicates his first choice exactly as in the present ballot. If any candidate has a majority of the first choices he is duly elected and the election is over. If, however, no candidate has a majority of the first choices we have to choose between the present method of declaring the one with the largest minority elected or permitting another choice. If it were not for the expense and delay of a second election that would be universally resorted to, as in Germany, and a second ballot as in conventions. But a second election is not necessary. A second choice can be indicated on the same ballot which indicates the first choice, and all the expense and delay of a second election reduced to merely a recount of the first ballot and adding in the second choices.

52. We all know that a multitude of candidates means that a minority is trying to nominate an unworthy man by dividing the opposition to him. Both theory and experience demonstrate that the preferential ballot makes it impossible for a small minority to triumph over an unorganized and divided majority. It involves no possible favoritism or injustice to any voter for

all have exactly the same privilege. The essence of the remedy is in removing all restrictions from the voters at the polls and allowing them the fullest possible expression of their will. What honest objection can possibly be made to that? The delegate whom the voter sends to a convention may vary his choices in successive ballots as much as he pleases, but in the primary election the voter himself is allowed but one choice, however inadequate it may be as an expression of his will.

53. Suppose the issue in a city election is the granting of a corrupt franchise by the city council. Those who favor the franchise are in the minority but by nominating a single franchise man in each ward and concentrating on him, and getting a number of candidates to run who are opposed to the franchise they easily divide the opposition, elect their men and get their franchise when it may be that three-fourths of the people are opposed to it. This happens again and again. But with second choices all this is changed. The first choices would be divided exactly as now, but the best men would get the largest vote of the second choices while the franchise candidates could get no second choices for they have only one candidate in each ward. Now under the preferential ballot since the pro-franchise candidates did not get a majority the second choices must be counted. While the anti-franchise voters would divide on candidates they would all vote against the franchise. The result would be that the second ballot or choice would double the anti-franchise vote while the utmost strength of the franchise supporters was given in the first choice ballots and cannot possibly be increased, for in each ward they concentrated their strength on a single candidate and have no second choice. Under the preferential ballot, then, their case would have been absolutely hopeless from the first. Their only chance to win is to muzzle the voters at the polls so that there cannot be a full, free, fair expression of their will.

DIGEST OF VARIOUS ARTICLES.

Negative.

1. The preferential ballot is sometimes called a "majority system." It is not, and no system yet proposed will, in all cases, secure a majority for one candidate.

2. It is no argument to say that unworthy men are sometimes elected under our present system. That will happen under any system. If bad men get votes enough under any system they will be elected.

3. But if a vote is so complicated that its results cannot be determined it creates a condition closely akin to anarchy. When in the excitement of an election different results are announced there would undoubtedly be strife and possibly civil war.

4. The affirmative are advocating a system where the chief thing is not how you vote but how you count. Enough men get "counted out" now with a single choice; what could we expect when each voter tried to express three or more choices?

5. Whatever the purposes of the proposed system it must be held responsible for its failures. One could not criticise the purpose of perpetual motion; it is magnificent. It is not the purpose that counts but the efficiency. Folly may easily be a crime.

6. The advocates of the preferential primary have no right to urge the change till they can agree on how to count. To adopt a system which has three ways of counting, all giving different results, could only result in greater confusion and uncertainty than now exists.

7. The complications of the preferential ballot are inherent in the system. There is no possibility that they can ever be eliminated. And as every system tends to become more complicated and involved with use, if a ballot begins by being incomprehensible what can be its future?

8. According to the showing made by the affirmative the very same vote may elect different men according to the way the vote is counted; and the decision is arbitrary as to which method shall be used. You would have to have fine mathematicians for election judges, and then they would not agree as to what should be the result.

9. The preferential ballot, by means of its second and other choices, enables several candidates to combine against another, thus opening the way to far more corrupt bargaining and trading than is possible under our present straight-forward, clean-

cut, single-choice ballot. The possibilities of corruption would be far greater than under our present system.

10. The preferential ballot is illusory in that with all its fuss and feathers it does not secure a majority of all the choices. Even though each voter had five choices the so-called winner would still have a minority in perhaps most cases. As all the choices after the first indicate but little real preference, it is evident that but little at most is gained by the innovation.

11. While the "high brows" who advocate the complicated ticket required by the advocates of the preferential primary may possibly see through all its intricacies it is certain to be and to remain a mystery to the common man. And no free people will ever trust the correctness of a vote to a method of counting which they do not understand. This is self-evident and unquestionable.

12. Every added complication gives the trickster an immensely increased advantage. Every additional count gives opportunity for renewed manipulations and tamperings. Where voters must vote for not only a first choice but for two or more other choices the possibilities for fraud which cannot be detected are indefinitely increased. To advocate a system which aids fraud is neither patriotism nor good citizenship.

13. The advocates of a preferential primary do not agree among themselves as to how the vote should be counted. Two of the methods are admitted to be defective even by their advocates, and under the third method if the voter does not express all his choices they must be filled in for him by the judges. That condemns it. That such changes would greatly increase the opportunities for fraud is absolutely undeniable.

14. There is little or no demand for the preferential ballot among the leaders and successful statesmen. The demand comes chiefly from professional agitators and disappointed office-seekers who have failed to secure any solid and influential following among the present parties; men who know that they are nobody's first choice think that if second or third or tenth choices could be counted they would have some chance for election.

15. A justice of the supreme court in Pennsylvania says that in 1910 more than 100,000 defective ballots were voted in that state. This was under a perfectly simple, uncomplicated ballot with only one choice. The fact must be reckoned with that men become confused when they undertake to fill out a ballot. It is useless to criticise or deny this statement. This fact

is one of the limitations of democracy which we must recognize and provide for as best we can.

16. It is very difficult to get the vote counted correctly when each voter has but one choice. A recount very rarely shows the same result as the first count; and very often the recount elects a different man. To count a vote and make absolutely no mistakes is a well-nigh impossible feat. The most we can hope for is that the errors should not be large enough to change the right result. To further complicate a count already difficult is not only inexpedient but suicidal.

17. The chief consideration in any proposed political reform is "will it work?" It may be fine in theory but utterly impracticable. The philosopher, John Locke, wrote the colonial constitution for Georgia. It was fine in theory but a ridiculous failure in practice. Plato, one of the greatest men of all time, wrote a description of an ideal republic, but it will never be even tried by rational men. That political theories are plausible is no evidence that they are practicable.

18. The first question with every device of government is its expediency, its practicableness. If it will not work, then there is nothing more to be said about it; it is not only useless as an expedient of government, but dangerous. All uncertainty as to whether a thing will work or not is the very strongest argument against it. We do not need to show that it will work badly; we only have to show that it has not been proved that it works well. The presumption is against every political device until it has been proved to be expedient and practicable.

19. It has been fully demonstrated that political parties are absolutely necessary to a free government. Even though they are sometimes abused they are still indispensable. It is evident that one of the purposes of the preferential ballot is to destroy political parties. All political organization must go to pieces at the polls when a voter must annul his first choice by his second, and both his first and second by his third choice. It is hard enough to line up voters in support of party principles with only one choice; with three or more it would be utterly impossible.

20. It has been demonstrated in Oklahoma and elsewhere that a great many voters do not have even a first choice. It is worth thousands of votes in a state election to be near the top of the list of candidates on the ballot. This fact is admitted and the legislature has tried to remedy it by rotating the names on the ballot in alphabetical order. Now if there are thousands

of voters who do not even have a first choice, what is the use of giving them two or more choices? What possible gain? And after all, no voter has more than one real choice. His second and third choices only mean that he would tolerate those if he had to.

21. Again, the advocates of a preferential ballot cannot even agree as to how a ballot should be marked. Some would have separate columns for first and second choices and a column for all other choices. Some would have five choices with as many columns. If any voter should put the "X" indicating his choice in the wrong column it would vitiate his ballot. Others would have the voter designate his choice by placing the number after each name which indicates the rank of his preference for each candidate; so that each voter would have to distinguish clearly between his fifth and seventh choices, for example, or run the risk of defeating his purpose.

22. Under the preferential ballot system, if a strong party man cannot elect his own candidate he would prefer to have the weakest and most disreputable candidate of the opposite party elected. Although this may seem incredible treason to free institutions it is notorious that partisans would do this. Under the present system a man can vote only his own ticket; he is powerless to meddle with the ticket of any other party. But under a preferential system, schemes and tricks and complications would be beyond the control of human intelligence. As soon as politicians learn to use it they would have the public more at their mercy than ever.

23. The affirmative offer us three systems of counting votes, and they cannot agree among themselves as to which is best. Champions of the Bucklin system claim that it is far superior to any other. Advocates of the Ware system are sure that no other system is practicable but theirs. While advocates of the Nanson system demonstrate mathematically that both the other systems are hopelessly defective. Supporters of both the Ware and Bucklin systems admit the superiority of the Nanson method but claim that it is far too complicated to ever be used except in very small communities. Its superiority can only be demonstrated by the use of higher mathematics with which not one in a thousand is familiar enough to see any force in the alleged arguments.

24. The ethical maxim, principles before men, is fundamental in politics. We cannot sacrifice it without self-destruction. The preferential ballot clearly emphasizes men more than principles.

In fact, principles must be lost sight of almost entirely. When it comes to principles, we cannot have first, second, and other choices. A man's first choice cannot be protection and his second choice free trade; license his first choice and prohibition his second choice. If there are three choices but only two candidates how can the elector vote the third choice and regard his principles? He must evidently forsake his principles if he votes for a third choice, for there are only two candidates representing his principles. It is evident that the preferential ballot relegates principles to an inferior place.

25. One of the serious objections to the Ware system is the fact that a man who is personally the best man for the office may not command a very high first choice vote, because he may belong to a minority party, and party lines may be strongly drawn. As a second choice, however, he might be the overwhelming choice of a large majority. Nearly all the voters might feel that if they cannot elect their party man they would much prefer this minority party man to any other candidate. Under the Ware plan such a man would be excluded if he had the smallest first choice vote, even if he were the unanimous second choice. This defeats the chief end of the preferential ballot; and in the judgment of most advocates of the preferential ballot is of little if any advantage over the present system.

26. The preferential ballot will keep practically every one away from the polls who does not thoroughly understand it or who is even uncertain as to his thorough knowledge of it. This actually happened at Denver. Thus to complicate a method of voting so that many will not and maybe cannot understand it is practically to disfranchise them. Men are very prone to neglect their electoral duties anyway, and they will be very much more apt to if they think it is not worth while to vote. Such a feeling will be very much intensified if they feel that because of a complicated ballot and their insufficient knowledge of how to use it they may not express their real wish even if they do vote. It is all too easy for voters to say, "What's the use?" already without giving any more justification for it.

27. One state having the preferential ballot had this experience. It had a chronic candidate for governor who had been trying for twenty-five years to get the nomination. Under the convention system he sometimes got a few complimentary votes but no one really took his candidacy seriously. After the adoption of the preferential primary there were on one occasion three candidates, one of whom was the chronic candidate. The

rivalry between the other two candidates was so great that their supporters naturally voted for the joke as second choice; they had to in fact, to prevent the election of the rival they opposed. Of course the chronic candidate was nominated by a large majority. Under the preferential ballot system such occurrences would be the rule rather than the exception.

28. The affirmative do not seem to be aware of or to realize the seriousness of the situation which would result from any doubt or uncertainty as to the correctness of the count of a vote. It could not be expected that any one would accept or abide by the result unless he were sure it was true and correct. To do so would be treasonable indifference to public duty. It is inevitable that charges of fraud would be made under such conditions, dissatisfaction and strife would result, and possibly even war. The affirmative do not seem to realize that acquiescence in a vote is absolutely impossible unless the people are satisfied that the vote was actually cast as counted and reported. We cannot afford to introduce the least uncertainty here; and that the proposed preferential ballot system undoubtedly does.

29. When voters are uncertain as to the correctness of the count it is impossible that they should acquiesce quietly in an adverse vote. It is hard enough to submit to the election of a bad man when we are sure that a majority of the voters wished him; but when we feel that his election is due to a method of counting the vote which no ordinary man understands and can demonstrate it may often be that acquiescence and submission are not a duty at all. People will not and ought not to submit to be governed by laws when they are not assured of their legality. The refusal to do so has always been characteristic of the Anglo-Saxon race. A method which introduces any uncertainty as to the result of an election is not to be even considered. It is a stab at the vitals of free government.

30. While we are considering the theoretical advantages of a proposal we must also consider what use may be made of it by the enemies of society and good government. A law might have many good points and yet the enemies of good government might make more effective use of it than the friends of good government could. A clause was put in the Fourteenth Amendment to protect negroes, but it has proved the greatest bulwark of the special interests, who have invoked the "due process of law" provision infinitely more than the negroes have. And when "due process" is made to include indefinite appeals with their costs and delays, negroes and all other poor are de-

prived of the very protection the law meant to give. And yet, any one who opposed that amendment would doubtless have been denounced as an enemy of the poor.

31. One of the chief objections to the Bucklin system is that each choice is nullified by the succeeding choices;—that is, the first choice is nullified by the second, and both the first and second by the third choice. Since it is very seldom that the first choice is elected, it is very evident that the important choice is not the first but the second or third. But the attempts to mass the vote on the second or third choices would require such strategy that the “manipulator” or “fixer” would be far more potent than under our present system. It is certainly no improvement to compel a voter to undo with his second choice what he does with his first choice. It may often be but an ingenious way of annulling his vote entirely. At most he would have but one vote left unannulled, and that is what he has now. The preferential ballot is an ingenious illusion.

32. The objections to the Nanson system are many and serious. In the first place the method of counting is so complicated that not one man in a thousand will ever be able to understand it, and he could not explain it. There is little likelihood that the people will ever entrust their political fortunes to such a method. Another objection is that the vote cannot be counted by the local judges where it is cast, but must be transcribed and sent to the state canvassing board. This will offer means of tampering and manipulation such as have never been dreamed of. And if the vote is finally counted wrong its detection would be impossible. It is inconceivable that a free people would ever submit to such a law, even if they could be induced to establish it. It is just as important in a democracy that the people should know there is no fraud as it is that there be none.

33. The hours following an election while the results are being determined is the most critical time in the life of a free government. Not only are the personal fortunes of the candidates at stake, but the dominance of parties and the destiny of the nation are also involved. Everything depends on the acquiescence of the people in the result. Anything that delays such acquiescence prolongs the crisis and increases the danger. Those who can remember the terrific strain of the presidential election of 1876 when the result was in doubt for several weeks will never wish to see such conditions repeated or vote for any policy which will make them frequent. The supreme question concerning every electoral method is not how well it figures

out to suit the theorists or mathematicians, but how well it operates to prevent such crises, or times of public uncertainty and stress.

34. In the United States we have carried party organization and government to absurd and monstrous extremes. When men will vote for the devil on their own party ticket in preference to a saint on another ticket we have made our nation a paradise for boodlers and political bosses. If men will not use discrimination in their first choice, if they ignore capacity and character when they vote, then we may be sure that no trick of balloting device, or complicated mathematical counting can deliver us from the inevitable result. If we vote for bad or weak or incompetent men we shall have unsatisfactory officers, and no fine-spun preferential ballot or any other kind of ballot is going to prevent it. No system of counting ballots can save us from the consequences of our folly. A far easier way is to stop the foolishness. We ought not to encourage voters to think that they can carry folly and treason to the ballot box and then be saved from the results by some ingenious way of counting.

35. The most conclusive objection to the so-called preferential ballot is that it has never been defined; no one knows what it means. If it were adopted nothing would be established. To one advocate it means the Ware system, to another it means the Bucklin system, to still another it means the Nanson system. It is very common to hear an advocate of one of these systems say that it is better to continue the present system than to change to any kind of a preferential system except the one he prefers. It is perfectly evident that the advocates of so-called preferential voting should agree among themselves as to just what they mean by it before they ask to have it adopted. If they cannot agree among themselves why in the name of common sense should they seek to confuse the public mind? If those who believe in it and are so interested in it cannot define it, how on earth do they expect the rest of us to do any better when they care nothing about it? Do they wish us to adopt a method of voting that would require a civil war to get counted?

36. The lack of precise definition puts the negative at great disadvantage in arguing against it. If it attacks one meaning, the affirmative can shift to another and still claim that it is advocating the preferential ballot. If the negative show that the Ware system would normally defeat the best candidate, they will advocate the Bucklin system. When it is shown that under its second choices have equal weight with first choices and may

annull them, the reply is ready that the Nanson system does not do this. When it is objected that the Nanson system is so abstruse that no ordinary mortal could tell whether it is right or not, the reply is that the Ware and Bucklin systems are both very simple. It is the present system against the field. Its supporter finds everybody attacking him but when he fights back his opponents hide behind each other. He supports the present system because he sees no better, for these three methods are not a system but confusion. The present method is definite, simple, concrete; the affirmative have no case till their proposal is similarly stated.

37. Under both the Ware and the Nanson systems the votes cannot be counted in the precincts where the voting is done. The final votes for county officers must be counted at the county seat, and the vote for all offices which include more than one county must be canvassed at the state capital or elsewhere. It would be weeks, then, before the result could be known in many cases; and in the transportation of the ballots or transcripts of them there would be opportunities for tampering far beyond anything now known. At the last congressional election in Oklahoma there were three candidates to be elected at large and forty-three candidates. This would require forty eliminations each one requiring a shifting of votes caused by dropping the name with the lowest number of votes. Even supposing that the counters were perfectly and phenomenally honest there is no human probability that such a count could be made without many errors. And even if the count were entirely correct no one would believe it. Besides, to make such a count would require an army of clerks for months, and then the result could not be accepted with confidence.

38. The theory of the preferential ballot is contrary to the nature of things. A man may have several choices for a wife, but there is no way that he can get them all,—unless he is a Mormon, and even then the woman has a say. A man who wants a horse may have several choices, but he has to decide between them; there is no way that he can buy one and partly buy the others. A woman may have several choices for a husband, but there is no way by which she can marry one and partly marry the others. She cannot marry one and then fall back on the others if that choice should fail. In the nature of things men must stake all on their first choice. Even if the results are sometimes tragical, in every affair of life we must make our choice and abide by it. The same is true in voting: an elector

may have several choices but he must decide between them. He must consider not only the qualities of the man but his availability, his popularity, for the voter throws his vote away who votes for a man for whom few others vote. The same principles which apply to everything else in life must apply to voting; they deceive themselves who think it can be made exceptional.

39. Every voté that a voter casts for a second choice helps to defeat his first choice, unless his first should have a majority on the first count. To vote for a man and then endeavor to make his election impossible unless he was also the first choice of the majority is irrational. It follows from this that unless the elector's first choice is reasonably certain of a majority, a wise elector would dissemble on his first choice and give his really first preference as his second or third choice instead of the first. This would open the way to such bargaining and scheming and trading as has never been known before. Many an unthinking man would not hesitate to exchange his second for another man's first choice. It is perfectly evident that where there were a good many candidates there would be little significance in the first choice, for every man's second choice would annul his first choice. This trading of choices would introduce an element of gambling, and the possibilities of corruption would be boundless. Furthermore, it would be very difficult to reach it by legislation. A law to prohibit trading certainly could not be enforced; where, then, would the present condition be improved? Nothing could prevent the second or third choices from being of more importance than the first choice.

40. With the preferential ballot the election always depends on the second or third choices. When the first choices settle it the second choices are not counted; they are utterly needless and useless, and there really is no preferential ballot. It follows, then, that when we have the preferential ballot it is the second or third choices which elect rather than the first choices. That is to say, our elected officers would all be second choice men instead of first choice men, the choicest men would not be elected. The harmless good fellow, who never antagonizes any body or anything, who stands for nothing except his own interests, who conceals his convictions if he has any,—such men would receive the second choice vote and of course be elected. The men with positive convictions and the courage to stand by them would disappear from public life. Political expediency would compel men to straddle as much as possible, and would certainly put a high premium on such a policy. Where an elec-

tion is determined by second choices a man's chances would depend far more upon the weakness of the opposition to him than upon the ardency of the support of his friends. But, furthermore, these amiable, colorless men would be the very type who would be selected to represent private interests; men with their own axes to grind would naturally take just such an attitude towards the burning questions of public interest and importance. A more diabolically insidious scheme to beguile the public into voting down the men who are the leaders in the struggle for public welfare and in supporting the tools of private interests could hardly be devised.

41. Let us apply the preferential ballot to actual conditions as they are in Oklahoma at the present time. Let us suppose the preferential ballot to be in effect at the election of November, 1914. We will select the Bucklin system because that is claimed to be by far the best form.

Since there is but one candidate for governor, democratic voters, for example, can only vote for a democratic candidate as their first choice; their second and third choices must be cast for a candidate of some other party.

The result does not depend so much on active support as lack of opposition. The candidates of the smaller parties would almost always be elected, while the candidates of the largest party would rarely if ever be elected—especially if there were any effort to combine the other parties against it.

It is evident that it is the men who are elected; parties are practically eliminated. Since it is almost impossible for any one to be elected on the first count and since no one can vote for his party candidate except in the first choice we have the amazing result that no candidate is elected by voters of his own party.

What is the use of nominating party candidates if they can only be elected chiefly by the votes of other parties? It is astonishing that sane men would advocate such a scheme, for it amounts to a proposal to elect candidates by their opponents instead of by their supporters. How could principles or reforms ever triumph under such a plan? Not even the best men could be elected, for if a democrat had to vote for a republican he would not be as likely to vote for a strong, efficient man as for a weak or mediocre one. And so of course with all parties.

REBUTTAL HINTS.

1. The official and authoritative counting of votes is not done at the voting precinct under our present system; but by county and state election boards exactly as it would be under the preferential system.

2. Our voters have as much intelligence as they have in Australia, where the most difficult form of the preferential ballot is in actual and successful operation, and where they do not have any trouble either in voting or counting the ballots.

3. It is objected that a voter's second choice kills his first choice. His second choice is not counted until his first choice is defeated. If the voter has lost his first choice, the preferential ballot enables him still to have some influence in the result.

4. That the methods of the preferential ballot were developed by university professors instead of by ward-healers and machine bosses should not make it less desirable. Most people prefer the suggestions originating with men of science and learning to those of ignorant and selfish schemers.

5. All objections are summed up in the old argument of the Aristocracy and the Oligarchy,—the people are not capable of government and should never be intrusted with anything more than the empty forms of government. The real power should be retained in the hands of the aristocrats and the intellectuals.

6. The only proper argument for the negative is to show by citing actual facts and experiences where the preferential ballot has worked as disastrously as they say it will. They charge that it will produce certain results when actual experience shows conclusively that it prevents the results which they profess to fear.

7. Those who oppose the preferential ballot are greatly distressed about the difficulty of counting the ballots. They never cease to prophesy of the dire calamities which must result. But who is having any trouble in counting the ballots? The system is in use in a score of places and there has never yet been a particle of trouble.

8. Those who oppose the preferential ballot claim that it will discourage partisan voting. Suppose it does. What then? It is very certain that it will in the same degree encourage intelligent and conscientious voting, voting for principles, patriotic voting. A voter's second choice candidate is always one who holds the same principles as the candidate of his first choice.

9. It is indeed true that men sometimes stake their last dol-

lar on one horse in a race, and it may be that some choices in life are irrevocable. But would not all men prefer otherwise? Is it not the plain part of wisdom to provide ourselves with alternative courses of action wherever possible? One of the best arguments in favor of the preferential ballot is that it provides just such alternatives.

10. Why should the fact that we have a choice of three forms be counted a drawback? It is, in fact, a real advantage. Conditions are not the same in all states and in all countries. Each is at liberty to choose the type best adapted to its own peculiar conditions. No one advocates adopting more than one form at a time, and the poorest type has proved in actual practice infinitely superior to the present system. Objections which have weight against one type are groundless against another.

11. No casuistry can conceal the fact that the negative advocates election by a minority, and is unwilling to do anything to prevent minority elections. The affirmative believe in majority elections, and will not consent to anything short of majority elections until every possible effort has been made to secure such elections. The present system will always enable an organized minority to defeat the will of the unorganized majority. If that is not advocating bad government and corrupt politics, what is it?

12. Objection is raised to the preferential ballot on the alleged ground that it is so complicated that the ordinary voter cannot vote it without mistakes. The fact is that it has never occasioned any trouble in this respect in the least. The first time it was tried in Grand Junction, Colorado, there were fewer errors than were made in the preceeding election under the present system. At Spokane, Washington, at the first election held under the Preferential system, the women voted for the first time, yet there were very few errors. If women voting for the first time can use it without making mistakes, its difficulties should occasion no fear.

13. The Negative assumes that because the preferential ballot permits 2nd and 3rd choices therefore every voter would be **compelled** to vote them whether he wished to or not. This is utterly absurd, as is shown by the Spokane election, where nearly one-third voted for but one choice, exactly as they would with the present ballot. The Negative also assumes that with the preferential ballot there would be a preferential primary in August followed by the final election in November. This is a mere quibble. A final election after nominations had been made

by a primary would not and could not be preferential in any accepted sense. The application of "preferential" to such an election is utterly unwarranted; there is no usage whatever to support it. Again, the question does not demand the **exclusive** adoption of the preferential ballot. Adopting it for primary elections would be adopting it. But the preferential ballot renders two elections absolutely unnecessary and contemplates the ultimate elimination of the second election.

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